

**GOVERNMENT OF ANDHRAPRADESH
ABSTRACT**

Social Welfare Department – Appeal petition filed by Sri Kurapati Mariya Das, S/o.Sangeetha Rao against the Proceedings of the District Collector, Guntur District – under section 7(2) of the Andhra Pradesh (Scheduled Castes, Scheduled Tribes and Backward Classes) Regulation of Issue of Community Certificates Act 1993 (AP Act No. 16/1993) – **Appeal Petition allowed** – Orders Issued.

SOCIAL WELFARE (CV.1) DEPARTMENT

G.O.MS.No. 65

**Dated:31.07.2013.
Read the following.**

- Ref:-
1. Proceedings of the District Collector, Guntur, R.Dis.No. 664/ 2005 / C4, dated: 11-02-2012.
 2. Appeal petition of Sri Kurapati Mariya Das, S/o.Sangeetha Rao, Guntur District, dt.09-03-2012.
 3. Govt. Memo. No. 5113/CV.1/2012, dated 16.04.2012, 19.06.2012 and 13.07.2012
 4. Original records received from the District Collector, Guntur, dated 22.08.2012.
 5. Govt. Memo. No. 5113/CV.1/2012, dated 17.09.2012 , 25.10.2012 and 07.01.2013
 6. Govt. Lr.. No. 5113/CV.1/2012, dated 17.09.2012 , 25.10.2012 and 07.01.2013

ORDER:

In the reference 1st read above, the District Collector, Guntur issued Proceedings for cancellation of Scheduled Caste “Hindu Mala” caste certificate of Sri Kurapati Mariya Das.

2. In the reference 2nd read above, Sri Kurapati Mariya Das filed an appeal before the Government against the cancellation of his Scheduled Caste ‘Hindu Mala’ caste certificate by the District Collector, Guntur.

3. The Government vide reference 3rd read above, while admitting the appeal, have stayed the operation of the Proceedings issued by the District Collector and called for the parawise remarks and connected records of the case for further examination.

4. In the reference 4th read above, the District Collector, Guntur has furnished the parawise remarks along with the connected records on the Appeal Petition filed by Sri Kurapati Mariya Das, S/o.Sangeetha Rao.

5. The Appeal Petition has been posted for hearing on 08.10.2012, 17.12.2012 and finally on 21.01.2013. The appellant was informed to attend the hearings along with all documentary evidence/certificates in favour of his community claim. Appellant has submitted his written arguments at the time of hearing of the case to the Appellate Authority on 21.01.2013.

6. The counsel for the appellant in his written argument has sated that the appellant has not claimed at any point of time that he converted himself into Christianity and as such, when there is no proof or certificate to the extent submitted by the Appellant, it cannot be concluded that the Appellant belongs to BC-C group i.e. Converted Christian and the respondent authority cannot draw any presumption as regards to the social status of the Appellant that he does not belongs to Hindu Mala (SC) community. Further it is observed that there is

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no recorded evidence or any proof, from the records available with the Government that the Appellant has taken "Baptism" to convert into Christianity.

7. In the circumstances, stated supra, Government after careful examination and in exercise of the powers conferred u/s 7 (2) of Andhra Pradesh (Scheduled Castes, Scheduled Tribes and Backward Classes) Regulation of Issue of Community Certificates Act 1993 (Act No. 1993), hereby **allow** the Appeal Petition filed by Sri Kurapati Mariya Das, S/o.Sangeetha Rao and set aside the Proceedings of the District Collector, Guntur issued in the ref. 1st read above, and the Scheduled Caste (Hindu Mala) claim of Sri Kurapati Mariya Das is upheld.

8. The District Collector, Guntur shall take necessary action in the matter accordingly.

9. The records (**3 volumes** (Volume I - C.F 1 to 30 pages, Volume II- C.F 303 to 612 pages & Volume III- N.F 1 to 51 pages C.F 613 to 943 pages in file bearing R.Dis No. 664/2006/C4.) received from the District Collector, Guntur, through ref. 4th read above, are returned herewith and he is requested to acknowledge the receipt of the same, immediately.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**J.RAYMOND PETER
PRINCIPAL SECRETARY TO GOVERNMENT**

To
The Collector Guntur District (with original records)
Sri Kurapati Mariya Das, S/o.Sangeetha Rao,
Former Chairman of Municipality, Bapatla,
R/o.Railpet, Bapatla, Guntur district.

M/s.Nandigam Krishna Rao, Advocate,
Block No.7, Flat No.10, MIG-II, A.P.H.B,
Bagh Lingampally, Hyderabad, 500 044.

Copy to:

P.S. to M (SW)
P.S. to Principal Secretary (SW)
SF/SC.

// FORWARDED :: BY ORDER //

SECTION OFFICER